

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

MICHAEL KASCSAK,

Plaintiff,

v.

**EXPEDIA, INC., and
MICHAEL DAVIS VELASCO,**

Defendants.

§
§
§
§
§
§
§
§
§

No. 1:23-cv-1373-DII

PROPOSED JOINT DISCOVERY PLAN AND CONFERENCE REPORT

In accordance with Fed. R. Civ. P. 26(f) counsel for Plaintiff Michael Kascsak and for Defendants Expedia, Group Inc. and Michael Velasco conferred by video conference on February 27, 2024, and thereafter by email, and file this proposed Joint Discovery Plan and Conference Report (the “Report”).

1. CONFERENCE OF THE PARTIES

In accordance with Fed. R. Civ. P. 26(f), the parties stipulate that they held a video conference on February 27, 2024, and continued to confer by email until the filing of this Report.

2. DISCOVERY PLAN

A. Initial Disclosures:

The parties will exchange initial disclosures by March 22, 2024.

B. Subjects on which discovery may be needed:

The parties intend to seek discovery as to the basis for their respective claims and defenses, as well as the proper measure of damages. Some of those topics include:

- Plaintiff’s allegations of discrimination against Defendants;
- Defendants’ defenses to Plaintiff’s allegations;

- Plaintiff's interview process with Expedia;
- Expedia's decision not to hire Plaintiff;
- Plaintiff's efforts to mitigate damages; and
- The calculation of damages that Plaintiff is seeking to recover.

The parties believe that discovery should be complete by December 13, 2024. The parties do not believe that discovery should be conducted in phases or be limited other than as set forth in the Federal Rules.

C. Electronically stored information:

The parties expect to have discovery of electronically stored information. The parties will work cooperatively to resolve as many issues regarding the disclosure, discovery, and preservation of ESI as possible without the Court's assistance.

D. Claims of privilege:

The parties will work cooperatively to resolve as many issues regarding claims of privilege without the Court's assistance. As of the date of this report, the parties have agreed that, without complying with Federal Rule of Civil Procedure 26(b)(5)(A), a party may withhold a privileged communication to or from a lawyer or lawyer's representative or a privileged document of a lawyer or lawyer's representative:

- (1) created or made from the point at which a party consults a lawyer with a view to obtaining professional legal services from the lawyer in the prosecution or defense of a specific claim in the litigation in which discovery is requested, and
- (2) concerning the litigation in which the discovery is requested.

See Tex. R. Civ. P. 193.3(c). For the purposes of this rule, Defendant Michael Davis Velasco is not included in the definition of a “lawyer,” whether he remains in the case as a Defendant or not.

E. Changes in the limitations on discovery:

The parties do not believe that changes need to be made in the limitations on discovery set forth in the Federal Rules of Civil Procedure.

F. Any other orders:

The parties have agreed to the deadlines set forth in the proposed Agreed Scheduling Order filed contemporaneous with this Report.

Dated: March 12, 2024

Respectfully submitted,

LIEBMANN & LIEBMANN, P.A.
714 N. Spring St.
Pensacola, FL 32501

By: /s/ Ashley Courtney(with permission)
Ashley Courtney Esq.
Barred in the Western District of Texas
FL #1030747
ashleycourtney@protonmail.com
(850) 781-2109

Alexander Liebmann, Esq.*
bar admission pending and pro hac vice
FL #1032726
alex@liebmannlaw.net
(845) 270-3843

Max Schreiber, Esq.*
pro hac vice
IN #37357-45
maxschreiber145@gmail.com
(401) 408-9370

Counsel for Plaintiff

SCOTT DOUGLASS & MCCONNICO LLP
303 Colorado Street, Suite 2400
Austin, Texas 78701
(512) 495-6300 Telephone
(512) 495-6399 Facsimile

By: /s/ David D. Shank
David D. Shank
Texas Bar No. 24075056
dshank@scottdoug.com
Amy Lee Dashiell
Texas Bar No. 90001564
adashiell@scottdoug.com
Robert P. Earle
Texas Bar No. 241245566
rearle@scottdoug.com

Counsel for Defendants